

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH DAKOTA  
WESTERN DIVISION

CR 04-50  
11/17/04  
CLERK

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UNITED STATES OF AMERICA,  
  
Plaintiff,

CR 04-50 *13* /  
REDACTED  
INDICTMENT

vs.

Involuntary Manslaughter

JOHN WATERS,

(18 U.S.C. §§ 1112 and 1153)

Defendant.

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The Grand Jury charges:

COUNT I

On or about October 20, 2004, near Allen, in Indian country, in the District of South Dakota, the defendant, John Waters, an Indian, with wanton and reckless disregard for human life amounting to gross negligence, did kill [name redacted], in the commission of a lawful act in an unlawful manner which might produce death, which he knew was a threat to the lives of others, and having knowledge of such circumstances as could reasonably have enabled him to foresee the peril to which he subjected others, that is, John Waters did operate a motor vehicle in a grossly negligent manner, and did thereby commit the crime of involuntary manslaughter, in violation of 18 U.S.C. §§ 1112 and 1153.

COUNT II

On or about October 20, 2004, near Allen, in Indian country, in the District of South Dakota, the defendant, John Waters, an Indian, with wanton and reckless disregard for human life amounting to gross negligence, did kill Margaret Chipps, in the commission of a lawful act in an unlawful manner which might produce death, which he knew was a threat to the lives of others, and having knowledge of such circumstances as could reasonably have enabled him to foresee the peril to which he subjected others, that is, John Waters did operate a motor vehicle in a grossly negligent manner, and did thereby commit the crime of involuntary manslaughter, in violation of 18 U.S.C. §§ 1112 and 1153.

COUNT III

On or about October 20, 2004, near Allen, in Indian country, in the District of South Dakota, the defendant, John Waters, an Indian, with wanton and reckless disregard for human life amounting to gross negligence, did kill Charlotte R. Chipps, in the commission of a lawful act in an unlawful manner which might produce death, which he knew was a threat to the lives of others, and having knowledge of such circumstances as could reasonably have enabled him to foresee the peril to which he subjected others, that is, John Waters did operate a motor vehicle in a grossly negligent manner, and did thereby commit the crime of involuntary manslaughter, in violation of 18 U.S.C. §§ 1112 and 1153.

A TRUE BILL

JAMES E. McMAHON  
UNITED STATES ATTORNEY

By 